

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Date of Deposit: 20 October 2004

Application No.: Not yet assigned – 371 of PCT/AU03/00478

International  
Filing Date: 22 April 2003 (22.04.2003)

Applicant: ROYCE, Alistair, et al.

Title: Retractor

Attorney Docket: 3029-000083

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

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**EXPRESS MAIL TRANSMITTAL**

The following papers are being deposited with the United States Postal Service Express Mail Post Office To Addressee on 20 October 2004 and addressed for receipt by the United States Patent and Trademark Office:

1. Express Mail Transmittal (Label No. EL 623 525 674 US);
2. Check in the amount of \$1,382.00;
3. Transmittal Letter to the US Designated/Elected/Office Concerning a Filing Under 35 USC 371 (2 pages, in duplicate);
4. Preliminary Amendment (9 pages)
5. Application Data Sheet (2 pages);
6. Copy of Published International Application WO 03/032545;
7. International Preliminary Examination Report;
8. International Search Report;
9. Information Disclosure Statement, Form 1449, Three (3) Cited References; and
10. Return Postcard.

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FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

3029-000083/NP

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

**10/511967**INTERNATIONAL APPLICATION NO.  
PCT/AU03/00478INTERNATIONAL FILING DATE  
22 April 2003 (22.04.03)PRIORITY DATE CLAIMED  
26 April 2002 (26.04.02)

TITLE OF INVENTION

RETRACTOR

APPLICANT(S) FOR DO/EO/US

ROYCE, Alistair et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Express Mail Label No. EL 623 525 674 US; Three (3) Cited References; International Preliminary Examination Report; International Search Report; Return Receipt Postcard

U.S. APPLICATION NO. (37 CFR 1.53) <b>10/511967</b>		INTERNATIONAL APPLICATION NO. PCT/AU03/00478		ATTORNEY'S DOCKET NUMBER 3029-000083/NP	
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<b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b> <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>          	
				<b>\$ 1080.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$ 130.00</b>	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	<b>\$</b>	
Total claims	19 - 20 =	0	x <b>\$18.00</b>	\$	
Independent claims	5 - 3 =	2	x <b>\$86.00</b>	\$ 172.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$290.00</b>	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1382.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				<b>\$ 1382.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1382.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1382.00</b>	
				<b>Amount to be refunded:</b>	\$
				<b>charged:</b>	\$

a. ☒ A check in the amount of \$ 1382.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ 1080.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.


d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

David P. Utykanski  
 Harness, Dickey & Pierce, P.L.C.  
 P.O. Box 828  
 Bloomfield Hills, Michigan 48303  
 United States of America

  
 SIGNATURE  
 David P. Utykanski  
 NAME  
 39,052  
 REGISTRATION NUMBER  
 Dated: October 20, 2004